

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEVIN BEVERLY, #835476,

Plaintiff,

v.

CASE NO. 2:14-CV-14422
HONORABLE VICTORIA A. ROBERTS

WILLIS CHAPMAN, et al.,

Defendants.

**ORDER DENYING PLAINTIFF'S OBJECTION/REQUEST FOR
RECONSIDERATION AND DENYING HIS MOTION FOR DISCOVERY**

This matter is before the Court on Plaintiff's objection to the Court's dismissal of his *pro se* Prisoner Civil Rights Complaint for failure to state a claim upon which relief may be granted under to 42 U.S.C. § 1983, which the Court construes as a request for reconsideration, as well as his motion for discovery to include additional defendants in this action.

Plaintiff's request for reconsideration and his motion for discovery must be denied. A motion or request for reconsideration which presents issues already ruled upon by the Court, either expressly or by reasonable implication, will not be granted. *Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Plaintiff raises such issues in his objection to the Court's ruling. The Court properly dismissed the Complaint for failure to state a claim upon which relief may be granted as explained in the dismissal order. Plaintiff has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(h)(3). Accordingly, the Court **DENIES** Plaintiff's request for reconsideration. Given this determination, the Court also **DENIES** Plaintiff's motion for discovery. The addition of new defendants would not change the Court's decision to summarily dismiss the

Complaint for failure to state a claim upon which relief may be granted. This case is closed.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts
United States District Judge

Dated: January 14, 2015

The undersigned certifies that a copy of this document was served on the attorneys of record and Kevin Beverly by electronic means or U.S. Mail on January 14, 2015.

s/Linda Vertriest

Deputy Clerk